

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
MARCELLES TOUSSAINT : CASE NO. 5-18-03915

:
Debtors : CHAPTER 13

NATIONSTAR MORTGAGE LLC, :
D/B/A MR. COOPER :
:
:

Movant, :
:
:

vs. :
MARCELLES TOUSSAINT :
:
:

Respondents. :

**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362**

AND NOW COMES, Marcelles Toussaint, the Debtor, and files an Answer to Nationstar
Mortgage, LLC's Motion for Relief From the Automatic Stay:

1. Marcelles Toussaint (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Movant alleges that Debtor has failed to make post-petition mortgage payments.
3. Debtor's Counsel is in the process of contacting the Debtor to ascertain if the payments have been and/or if the Debtor is in possession of the funds needed to cure the arrears.
4. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtors respectfully request that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: November 15, 2020

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Avenue
Scranton, PA 18504
(570) 347-7764

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 15, 2020, he caused a true and correct copy of Debtors' Answer to Nationstar Mortgage, LLC's Motion for Relief from the Automatic Stay to be served Via First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

Rebecca A. Solarz, Esq. at rsolarz@kmllawgroup.com

Dated: November 15, 2020

/s/Tullio DeLuca
Tullio DeLuca, Esquire